



TOWN OF AVON
2019 SEP 11 A 9:41
TOWN CLERK

ZONING BOARD OF APPEALS

TOWN OFFICES/BUCKLEY CENTER
AVON, MASSACHUSETTS 02322-1496
TEL. (508) 588-0414 - FAX (508)559-0209

PUBLIC HEARING MINUTES - May 30, 2019

CASE #19-3 | JOANNA HILLS ESTATES, LLC

The Public Hearing was called to order at 6:34 P.M. by Charles Comeau.

The Public Hearing is the result of the Petition of Joanna Hills Estates, LLC., at the property located off Joanna Road, and known as Assessors Map C7 Block 3 Plot 15, Avon, Massachusetts.

The following were present:

Appeals Board Members- Gerald Picardi, Edward Mekjian, Christopher Canducci, Peter Crone, Kevin Foster, Charles Comeau.

Town Counsel, Joseph Lalli and Special Counsel, Jason Talerman

Paul Cusson of Delphic Associates, Muhammed Itani of Joanna Hills LLC, and Brian Dunn of MBL Land Development Corp.

Visitor's- Abutters/ Members of the Community.

Charles Comeau notes that the meeting is being recorded and televised and states that he is temporarily filling in for the Building Inspector and sits as the Chairman of the Planning Board but the Planning Board will not be participating in this process. The process is strictly a Zoning Board of Appeals process, so from the recommendation of town counsel and special counsel there should be no conflict of interest with the other positions that I hold in town. He explained the process in which the meeting will be held and noted that there will be opportunity for everyone to speak.

The members of the board and visitors introduced themselves and the board noted that the Public Hearing Notice(s) had appeared in The Enterprise on May 15, 2019 and The Enterprise on May 22, 2019 in the Legal Notice section.

CASE #19-3 | JOANNA HILLS ESTATES, LLC.

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case # 19-3 Joanna Hills Estates, LLC will be referred to as the “**Petitioner**”.

“Notice is hereby given that a Public Hearing will be held in the Town Offices, Town of Avon, Massachusetts on Thursday, May 30, 2019 at 6:30 P.M. to hear the following petition(s) requesting a Comprehensive Permit under M.G.L. 40B.

Case # 19-3 Petitioner, Joanna Hills Estates, LLC., requests approval of a Comprehensive Permit under M.G.L. 40B, at the property located off Joanna Road, and known as Assessors Map C7 Block 3 Plot 15, Avon Massachusetts. The applicant is proposing to construct 80 single family homes, an on-site waste-water sewer disposal system, and associated roadways and appurtenances. Plans may be viewed prior to the hearing at Town Clerk’s Offices during regular business hours.”

The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located off Joanna Road, and known as Assessors Map C7 Block 3 Plot 15, Avon, Massachusetts and concerned parties had been notified of the intent of this hearing. All the requirements had been met with reference to notifications, publications, and postings, as mandated by Laws Governing the action of Public Hearings and the Board of Appeals (*Massachusetts General Laws, Ch. 40A § 11*); and, Town of Avon Board of Appeals Procedures for Applicant(s)/Petitioner(s), effective January 1, 2001.

The Board of Appeals advised the attendees of the format of the Public Hearing as follows:

1. Petitioner’s Presentation
2. Comments, Open Discussion, Questions and Answers
3. Decision and Vote of the Board of Appeals

Petitioner’s Presentation:

The Chair recognized Paul Cusson of Delphic Associates, New Bedford, Massachusetts who introduced the development team. A short slideshow was shown of surrounding towns and explained that they were just approved in Bridgewater and West Bridgewater. Paul explained that per Massachusetts General Law any community that does not have 10% of its housing stock as low to moderate income is subject to a 40B application. 80 homes on approximately 30 acres of land are proposed and 25% of these homes will be low to moderate income. The price of the homes will be set at the

time of the housing lottery and should be approximately \$245,000 to \$250,000 and is based on the area median income. The income limits for a family of two (2) would be approximately \$71,400; family of three (3) \$80,300; family of four (4) \$89,300. Homes will be sold at lottery and the town can set aside 70% of the 25% for local preference. They have had the wetland lines delineated and it has been approved by the Avon Conservation Commission and their plan has respected that. Paul asked Brian Dunn to talk about the development of the land. Brian Dunn is from MBL Land Development Corporation of Raynham, Massachusetts and notes that the wetland delineation is accurate and was approved by the Conservation Commission. Brian notes that there is 29.37 acres of land in which 19.86 acres is upland and 9.51 acres is delineated as wetlands. He notes that the roadways are 24' wide with sidewalks out to Page Street and showed a plan where the blue areas are drainage basins, the lighter green is wetlands and the darker green is landscaping. There are three areas for septic/sewer treatment.

Comments, Open Discussion, Questions and Answers:

Charles Comeau requested information on lot sizes. Lot sizes would vary between 5,000 and 8,000 square feet. Gerald Picardi requested clarification on the onsite sewer and rubbish collection and Paul noted that a homeowner's association would be developed in which the buyer would place 3 months of operating costs into the fund. Rubbish collection would be part of the homeowner's association cost unless the roads were accepted by the town. Gerald also requested information about additional children in the school system and Muhammed Itani, Joanna Hills LLC, manager of the project mentioned that in Rockland, MA there was 72 houses built on 20 acres of land which brought in 31 additional children into the school system. Charles Comeau states that Avon is a small town and that an increase of 5% overnight will have issues that the town cannot forecast and they will have to figure out how to deal with these issues. Edward Mekjian asked what would happen if the sewerage failed, and it was mentioned that the sewerage is adequate for 24 to 48 hours and has a generator and massive tanks and it would not be a problem for the town if something happened.

Abutters expressed concerns with drainage, sidewalks and traffic. A traffic study will be done in which the town's consulting engineer will review and get back to the zoning board. An impact study on the schools will be done and will be shared with the school committee.

There will be a deed restriction on the low-income housing in which if, sold in the future, that house must stay affordable in the future. A plan will be done to show the different phases of the subdivision plan. There was discussion on dealing on different issues at each meeting such as traffic and drainage. Charles Comeau mentioned that they would like to see the sewerage plan and it was also mentioned that the abutters would like to see plans of the houses and the plans could be made available either online or by paper copies.

Special town counsel states that the level of plan detail has to come up to what the town 40B regs are and the plans are not close to the level of detail that we need. The town cannot sign a contract with a peer reviewer at this point. He also notes that Mass Housing requires detail on wetlands, stormwater, water supply, pedestrian access, impacts on water, hazardous waste safety, landscaping plans. Paul requested that the chairman of the board set up a peer reviewer and they will send information simultaneously to both the board and peer reviewer and it will be sent a couple of weeks before the next hearing.

Decision and Vote of the Board of Appeals:

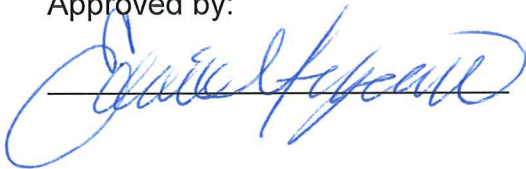
The board and petitioner discussed dates for the continuance of the public hearing. A meeting date of July 16, 2019 was agreed upon by both the petitioner and the board.

A motion was made to continue the next meeting to Tuesday, July 16, 2019 at 6:30 p.m., seconded by Edward Mekjian. All in favor.

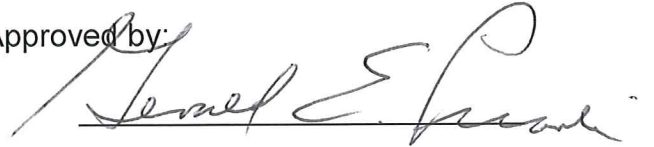
A motion was made to adjourn the meeting of the zoning board, seconded by Gerald Picardi. All in favor.

VOTED: to continue the public hearing to July 16, 2019 at 6:30 PM, as stipulated.

Approved by:

A handwritten signature in blue ink, written over a horizontal line. The signature is cursive and appears to be "Gerald Picardi".

Approved by:

A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be "Edward Mekjian".